

REMARKS

Reconsideration of this application and the rejections of claims 40-78 are respectfully requested. Applicants have attempted to address every ground for rejection in the Office Action dated July 27, 2010 (Paper No. 20100725) and believe the application is now in condition for allowance. The specification and the claims have been amended to better describe the invention.

The Abstract is objected to because the Examiner states that the last sentence of the Abstract contains grammatical errors and other informalities. Applicants have amended the Abstract as shown above to delete the last sentence. Accordingly, Applicants respectfully request that the rejection of the Abstract be withdrawn.

The claims are objected to because they include reference numbers which are not enclosed within parentheses. Applicants have amended the claims to delete the reference numbers. Applicants therefore request that the objection of the claims be withdrawn.

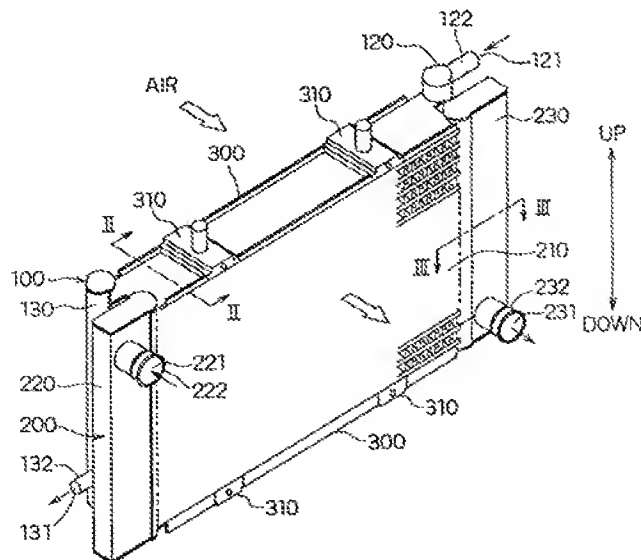
Claims 65 and 66 are objected to based on informalities. Furthermore, claim 65 is objected to under 37 C.F.R. §1.75(c) as being an improper dependent claim. Applicants have cancelled claims 65 and 66 and therefore submit that the rejection of these claims is now moot.

Claims 40-78 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite. Specifically, the Examiner states that the claims include several errors

and informalities that are not in accordance with U.S. patent practice. Claims 45, 46 and 61-75 have been cancelled. Applicants therefore will respond to the rejection of 40-44 and 47-60 under §112. Applicants have reviewed and amended the claims as necessary to place the claims in proper format based on U.S. patent practice. Accordingly, Applicants request that the rejection of the claims under §112 be withdrawn.

Claims 40-53, 57-70 and 74-78 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,189,603 to Sugimoto et al. Applicants disagree with and traverse this rejection for the following reasons.

As shown in FIG. 1 below, Sugimoto discloses a dual heat exchanger for a vehicle including a condenser 100 and a radiator 200. The condenser 100 includes spaced apart tanks 120 and 130 and the radiator 200 includes spaced apart tanks 220 and 230.



In contrast, amended claim 40 recites, among other things, a heat exchanger unit for motor vehicles comprising including “a first heat exchanger and a second heat exchanger, each of the first and second heat exchangers having two collector pipes situated at a distance from one another,” “a cross-section of a wall of one of the collector pipes of the first heat exchanger [has] . . . a non-circular shape,” “the second heat exchanger being a condenser” where the unit further includes “a collector being situated on a collector pipe of the second heat exchanger, a cross-section of a wall of at least one of the collector pipes of the second heat exchanger being one of oval, elliptical, or circular in shape and a front wall of at least one of the collector pipes of the first heat exchanger faces an adjacent collector pipe of another heat exchanger, the front wall having a continuously convex cross-section.”

As shown in FIG. 1 of Sugimoto above, none of the tanks 120 and 130 or the tanks 220 and 230 include a collector situated on the tanks, i.e., the collector pipes. Instead, the condenser 100 and the radiator 200 each include independent tanks that process and/or store coolant flowing through the heat exchanger. A collector, such as the one recited in amended claim 40, is not connected to or otherwise attached to any of the tanks 120, 130, 220 or 230 in Sugimoto.

Furthermore, amended claims 41-44 includes similar subject matter. Applicants therefore submit that claims 41-44 are each distinguishable over Sugimoto for the reasons provided above.

Also, as stated above, amended claim 40 recites, among other things, that “a front wall of at least one of the collector pipes of the first heat exchanger faces an adjacent collector pipe of another heat exchanger, the front wall having a continuously convex cross-section.” Similarly, amended claim 41 recites that the wall is “continuously concave,” amended claim 42 recites that the wall has “a convex segment and a concave segment,” amended claim 43 recites that the wall has “a straight segment, and positioned at an incline relative to the collector pipes of this first heat exchanger,” and amended claim 44 recites a “front wall having straight segments, and which are positioned at an angle relative to a longitudinal axis of one of the collector pipes of the first heat exchanger, the front wall and the longitudinal axis forming an angle between 95° and 175°.” Sugimoto fails to disclose such subject matter.

In Sugimoto, the tank 230 (collector pipe) of the radiator 200 has a front wall that faces the adjacent tank 120 (collector pipe) of the condenser 100 and that is straight. Sugimoto therefore does not disclose a heat exchanger unit having collector pipes with the front wall configurations disclosed in amended claims 40-44.

For at least these reasons, Applicants submit that amended claims 40-44, and the claims that depend therefrom, are each patentably distinguished over Sugimoto and in condition for allowance.

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Accordingly, Applicants respectfully submit that in view of the above-identified remarks, the claims in their present form are patentably distinct over the art of record. Allowance of the rejected claims is respectfully requested. Should the Examiner discover there are remaining issues which may be resolved by a telephone interview, the Examiner is invited to contact Applicants' undersigned attorney at the telephone number listed below.

Respectfully submitted,

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